IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 10TH APRIL 2007 / 20TH CHAITHRA 1929

OP.No. 13119 of 1998(J)

PETITIONER:

M/S.PARVATHI MILLS, P.B.NO.1,
KOLLAM A UNIT OF THE
NATIONAL TEXTILE CORPORATION
(APKK&M) LTD., BANGALORE
REP.BY ITS GENERAL MANAGER.

BY ADV. SRI.U.K.RAMAKRISHNAN
SRI.P.V.LOHITHAKSHAN

RESPONDENTS:

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1. **THE KERALA STATE ELECTRICITY BOARD,**
VAIDYUTHI BHAVAN, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM REP.BY ITS SECRETARY.

2. **THE CHIEF ENGINEER, (THERMAL AND COMMERCIAL)**
KERALA STATE ELECTRICITY BOARD,
VAIDYUTHI BHAVAN, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM .

3. **THE SPECIAL OFFICER (REVENUE),**
KERALA STATE ELECTRICITY BOARD,
VAIDYUTHI BHAVAN, PATTOM PALACE P.O.,
THIRUVANANTHAPURAM.

4. **THE DEPUTY CHIEF ENGINEER,**
KERALA STATE ELECTRICITY BOARD,
ELECTRICAL CIRCLE OFFICE, KOLLAM- 1.

*** ADDL.5TH RESPONDENT IMPLEADED**

5. **STATE OF KERALA REP.BY ITS SECRETARY,**
POWER DEPARTMET, THIRUVANANTHAPURAM.

*** ADDL.5TH RESPONDENT IS IMPLEADED AS PER ORDER DT.10.4.2007 IN I.A. NO.23512/1999.**

BY ADV. SRI.P.V.KUNHIKRISHNAN, SC, KSEB
SRI.P.SANTHALINGAM, SC, KSEB
SRI.C.K.KARUNAKARAN, SC FOR KSEB
BY GOVERNMENT PLEADER SMT.M.K.PUSHPALATHA

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 10/04/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ORDER ON CMP. NO.22974/1998 IN OP. NO.13119/1998

DISMISSED

10.04.2007 **SD/- K.BALAKRISHNAN NAIR, JUDGE**

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1:- COPY OF THE ORDER DT.6.9.97 ISSUED TO THE PETITIONER BY THE 4TH RESPONDENT.

EXT.P2:- COPY OF THE BILL DT.10.3.98 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P3:- COPY OF THE BILL FOR THE MONTH OF MARCH, 1998 DT.13.4.98, ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P4:- COPY OF THE BILL FOR THE MONTH OF APRIL, 1998 DT.13.5.98 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P5:- COPY OF THE BILL FOR THE MONTH OF MAY, 1998 DT. 9.6.98 ISSUED BY THE 3RD RESPONDENT TO THE PETITIONER.

EXT.P6:- COPY OF THE G.O.(MS) NO.3/98/FD DT.23.1.98.

EXT.P8:- COPY OF THE B.O. NO.2785/97/ (PIG COM. 2920/96) DT.12.12.97.

/TRUE COPY/

tss

ORDER ON CMP. NO.

K.BALAKRISHNAN NAIR, J.

O.P. NO. 13119 OF 1998-J

JUDGMENT

The point raised by the petitioner is covered by the judgment in O.P.No.7758/1998. The facts are almost identical. Accordingly, the 3rd respondent is directed to revise Exts.P2 to P5 bills in the light of the observations made in the aforementioned judgment. The excess amount paid by the petitioner shall be adjusted towards future bills.

The Original Petition is disposed of as above.

10th April, 2007. K.BALAKRISHNAN NAIR, JUDGE.

Nm/

K.BALAKRISHNAN NAIR, J.

O.P. NO.13119/1998-J

JUDGMENT

10.4.2007